

CLARKE COUNTY BOARD OF SUPERVISORS
April 12, 2004 Public Hearing 7:30 p.m.
John H. Enders Social Hall

At a meeting of the Board of Supervisors of Clarke County, Virginia, held at the John H. Ender's Social Hall 9 South Buckmarsh Street, Berryville, VA 22611 on Monday, April 12, 2004.

Present

Chairman Staelin, Vice Chairman Hobert, Supervisor Dunning, Supervisor Byrd, Supervisor Weiss

Also Present

Tom Judge, David L. Ash, William Houck, Bent Ferrell, Gary Hornbaker, Caren Leach, Matt Eberhardt, Robert Allen, Pam Lettie, Val Van Meter and other citizens.

Call To Order

Chairman Staelin called the meeting to order at 7:38 pm.

Overview FY 05 Budget

John R. Staelin welcomed the citizens attending the public hearing and thanked them for their dedication. He reviewed the purpose of the two public hearings scheduled, the first on the FY 05 budget and the second on the tax rate. He informed the audience that according to State law no vote on the budget can be made until one week after the public hearing.

Mr. Staelin introduced Tom Judge, Director of Joint Administrative Services. Mr. Judge reviewed the proposed FY 05 budget pointing out highlights. He explained the comparisons of 2004 to 2005. He reviewed the increases in the Sheriff's Department budget due to the addition of two persons. EMS has also been expanded. That need was identified at the FY 04 budget hearing but was not satisfied at that time. He reviewed the increased expenditures for the Regional Jail citing overcrowding and the need for additional staff. He reviewed the increase in 911 fees, which will be used to cover expenditure increases and allow reimbursement of past expenses to the general fund. Mr. Judge reviewed salary and benefits increases, which are still dependent on decisions made by the State. He said that school construction was included in the FY 05 budget. He explained that the Johnson Williams access project, approximately \$435K, would be included in the bond of \$23.8MM. He noted that \$250K has been saved for specific projects and would be used to fund the deficit, bringing it down to \$200K.

Mr. Judge stated that there were two resolutions before the Board of Supervisors for adoption one for the FY 05 budget and one for the tax rate.

Public Hearing – FY 05 Budget

At 7:50 pm, Chairman Staelin opened the hearing for public comment.

George Novakowski, Russell District – Berryville: addressed the Board speaking against adoption of the proposed FY 05 budget. Mr. Novakowski stated that he was opposed to the reduction of \$42K from the school's budget. He opined that the Resource Officer was a point of contention and the position had not been budgeted

by the schools for FY 05. He thanked Supervisor's Hobert and Staelin for their efforts to improve the Clarke County public schools. He expressed disappointment with Supervisor's Byrd, Dunning and Weiss opining that by their support of the reduction in the school's budget they were not adhering to the spirit of the resolution passed in January 2004 and were setting a precedent by this deviation from the agreement. He stated that he wanted to see the 5% adhered to by the Board of Supervisors. He opined that it was time to consider setting the matter for referendum to ensure there were no further cuts of future funds.

Mr. Novakowski expressed his displeasure with the opinion poll conducted in the Russell District opining that it was constructed to get the desired results. He further expressed his displeasure with the Board for withholding information regarding the cost of utilities from Doug Westmoreland, architect for Moseley, and the School Board until after the public meeting conducted on February 25, 2004. He stated that the Board of Supervisors' actions were not conducive to the spirit of compromise called for in the resolution.

Chairman Staelin responded to Mr. Novakowski's assertions stating that the Board of Supervisors had not withheld information from the School Board or Doug Westmoreland. He said that the architect did not seek the data from the Town of Berryville, which the Board thought would be the type of information an architect would ask when providing cost estimates. County staff had requested cost estimates from the Town of Berryville, which had been provided to them the day of the meeting.

Vickie Petrosky, Berryville: addressed the Board speaking in favor of adopting the FY 05 budget to fund school construction. Ms. Petrosky identified herself as an educator stating that one of the reasons she moved to Clarke from Shenandoah County was because of the high reputation of Clarke County schools. She said that the School Board was elected and the Board of Supervisors should allow them to do their job and not micro manage. She said that the needs of the schools were readily apparent and the trailers were unbelievable. She spoke about a German exchange student who was shocked by the facilities they had to endure and the lack of support for schools. She opined that planning for the schools should have been done earlier and that all the citizens of the County benefit from the schools.

Ms. Petrosky requested the Board of Supervisors look at their funding of the new Town Hall and to question how many would use this facility. She requested that the Board of Supervisors put off construction of the Town Hall because it is important to fund the school budget to build a future for the kids.

Vice Chairman Hobert responded to Ms. Petrosky's request to delay construction of a Town Hall. Mr. Hobert reminded those present that the Town of Berryville is building the Town Hall and that the Town has its own tax structure and that the Clarke County Board of Supervisors is not involved in their decisions or the payment of that project.

Randy Cabell, Boyce: addressed the Board to speak against adoption of the FY 05 budget. Mr. Cabell stated that he wished to applaud the fine work that Tom Jones continues to do with the County budget. He thanked Linda Coumes for providing him with the financial data each month. He expressed concern that the County would not be able to meet its commitment to hold the tax increase to no more than 25%. He noted problems with projections for Other Revenue opining that the estimates for State aid was too high and that growth projections were too optimistic. Mr. Cabell noted that a 6-cent increase in the tax rate was built into the FY 05 budget. He opined that it was not called out in the advertised budget and was being used to cover an operating deficit. He suggested that the Board remove the tax increase and reduce the expected revenue by \$300K and adjust the deficit accordingly.

Mr. Cabell said that the increase was in the budget only because of the Board of Supervisors' commitment to the schools. He opined that the schools were incompetent and obfuscate the facts. He noted it was more than 90 days from the

passing of the Joint Resolution and four years from the time the alternatives for a new school were first published by the schools and there is still no site, no costs for utilities nor indication that utilities were even available. He opined that the plans presented were an insult to the people and the students of Clarke County. Mr. Cabell suggested that if the schools had not fulfilled their responsibility by May 12 that the process should be restarted this time using real alternatives for renovating the high school.

Randy Cabell displayed a Do-It-Yourself Tax Calculator for Clarke County. He opined that by using this calculator you could quickly determine how much higher the tax increase would be over the 25% target. He expressed his opinion that the rate would be closer to 30% to 35%.

Mr. Cabell provided written comments, which are included in the April 2004 Board of Supervisors file.

Robina Rich Bouffault, Boyce: addressed the Board speaking against adoption of the FY 05 budget. Mrs. Bouffault stated that she had attended every budget meeting of the Finance Committee, Board of Supervisors and the School Board. She noted that the Supervisors sessions were detailed and thorough with line-by-line review of the budget, which they pared to the bone. She opined that the School Board did not perform the same level of examination. She opined that the public did not get a chance to comment on the schools' budget because no true detail was made available until March 11 when their budget was presented to the Board of Supervisors, which was after the School Board's last public hearing.

Mrs. Bouffault said there was \$322K missing from the schools' budget. She said that this number includes an accounting adjustment of \$126,000; and at the February 9, 2004 School Board meeting, it had been stated that this money would be used to buy science textbooks. She noted that Dr. Houck's March 23, 2004 letter to the Board of Supervisors stated that science textbooks for 1,000 students would be cut. She asserted that an additional \$196K, identified as carry over from the previous year at the March 1, 2004 School Board meeting, is not accounted for in the budget. She opined that this failure to account for such large sums shows the School Board's continuing disdain for their fiduciary duty toward the County's taxpayers.

Robina Bouffault provided a graph depicting the schools budget increases over the past five years. She opined that the figures clearly show that the schools continue to fund a bloated and expensive administrative bureaucracy. Mrs. Bouffault said that the most important tax dollars go for education and must be spent as intended. She urged the Board to review the schools' budget before fully funding.

Mrs. Bouffault provided written comments, which are included in the April 2004 Board of Supervisors file.

Dr. William Houck, Berryville, Russell District, Clarke County School Board Chair:

Dr. Houck addressed the Board on behalf of the School Board speaking against adoption of the FY 05 Budget. Dr. Houck addressed the Board of Supervisors regarding reduction of the school's budget by \$42K. He stated that the School Board had not put a Resource Officer in their FY 05 budget and noted the letter he had sent to the Board, which was reviewed at the March 25, 2004 Board of Supervisors Budget Work Session. Dr. Houck opined that the removal of this money would have a negative impact on the schools; and as a result, something would not be purchased. He urged the Board to reconsider this decision.

Dr. Houck urged those present to look at the numbers presented by the previous speaker. He opined that if the numbers are unbelievable it could be because they were unbelievable. He said that the numbers might be accurate but could be affected by the State's requirements to reclassify certain positions, which could be one reason some areas show large increases.

Bent Ferrell, Boyce, White Post District, Clarke County School Board Vice Chair:

Mr. Ferrell addressed the Board on behalf of the School Board speaking against adoption of the FY 05 Budget. On behalf of Michael McCall and himself, he expressed their appreciation and gratitude for the time, effort and energy of Supervisor's Hobert and Staelin while serving on the Joint Revenue Review Committee and the Joint Committee on School Construction on which McCall and he also served. Mr. Ferrell opined that the joint efforts of these committees confirms that members of the Board of Supervisors and the School Board can work together in a professional, dignified manner to achieve results. He spoke of the idea of setting a four-year fiscal plan for the Schools and the County saying that this provides an opportunity to get out of the yearly budget arguments between the Boards over the budget. He stated that the Boards must be able to gain the trust of the community, which is damaged by arguing over numbers and commitments. He told the Board that during his recent reelection campaign he had heard citizens express their desire for the two Boards to work better together.

Mr. Ferrell said that he was discouraged about the current budget. He said that the School Board had met their obligation to hold to the 5% cap noting that Dr. Smalley and the school staff had expended a great deal of effort to achieve this goal. He noted sacrifices made by the schools and referred to comments made by Andrew Kiser, Clarke County Education Association Chair, during the March 11, 2004 Board of Supervisors Budget Work Session. He opined that the reduction of \$42K from their budget would have an impact. He said that Sheriff Roper and Dr. Smalley were working together on the matter of a Resource Office for the schools. He opined that the best solution to the budget was to go back to the School Board's original proposal.

Chris Bates, White Post: Mr. Bates addressed the Board regarding the FY 05 Budget and the School Board. Mr. Bates said that the Virginia State Association of School Boards conducts seminars on budget preparation and have used the Clarke County school budget as an example of how not to set a budget. He opined that the School Board provides no advance notice of meetings and little opportunity for public participation. He said that the schools should have been working on the proposed construction over the years and not in a rush at the end. He noted that Special Education is included in the proposed School Board budget but the Special Education Committee will not review the budget until April 13.

Mr. Bates said that during previous year's budget process Supervisor Hobert had requested the School Board review their expenditures and make cuts. Mr. Bates said that Dr. Houck would not allow Dr. Smalley to make such cuts because he figured the Board of Supervisors would make cuts anyway. Mr. Bates opined that there was more than enough fat in the schools budget to deliver quality services to the children of Clarke County.

Gary Hornbaker, Buckmarsh School Board Representative: Mr. Hornbaker addressed the Board identifying himself as a new member of the School Board, a County resident for almost twenty years and a parent of six whose children have attended Clarke County schools. He expressed his sincere desire for the members of both Boards to work together toward resolution stating that it would be better for the community if they were able to sit down together and discuss the issues without fighting. He stated that there was too much at stake and he does not want to continue to fight with the Board of Supervisors. Mr. Hornbaker stated that he was the only member of the School Board who voted against passage of the joint resolution citing there were too many unanswered questions. He stated that the County has hired professionals such as Dr. Smalley, David Ash and Tom Judge and he does not second-guess their judgment. He opined that the most vocal persons against the schools are persons who do not have children in the public school system. He asked the Board to listen to the parents of the children in the schools.

Jane Mason, Berryville: sent written comments to the Board expressing concern over the deficit, overcrowding in the schools and the removal of the \$42K from the schools budget. Her written comments are included in the April 2004 Board of Supervisors file.

There being no others present wishing to address the Board on this matter at 8:25 pm Chairman Staelin closed the public comment portion of the public hearing.

Chairman Staelin requested comments by the Board.

A.R. [Pete] Dunning, Jr., Supervisor White Post: Mr. Dunning opined that Mr. Hornbaker's statements were good. He said that he respected his decision to vote against the resolution and asked Mr. Hornbaker what had been the most influential factor in his decision. Mr. Hornbaker replied that it was because he did not think the date of the site selection was fair for it did not provide enough time to select a site. Supervisor Dunning stated that his reasoning seemed justified but reminded those present that the schools have known for years that a site was needed and should have been looking at the matter during that time.

Mr. Dunning responded to Mr. Hornbaker's request to sit down together and engage in discussion with the comment that this was what they were doing at this meeting. He reminded the members of both Boards that \$8K had already been spent for mediation between the Boards.

Supervisor Dunning responded to Bent Ferrell's comments regarding the four-year budget plan. He explained that a multi-year budget had been done before and had covered a two-year period. The schools spent the budget in the first year and had to come back to the Board of Supervisors for a supplemental appropriation.

Mr. Dunning opined that the School Board budget needs to be more open and that it is very complicated and difficult to understand. He suggested that the School Board stop being so "turf minded".

Barbara J. Byrd, Supervisor Russell District: Supervisor Byrd replied to the comments of Mr. Novakowski regarding the opinion poll conducted in the Russell District. Mrs. Byrd said that to determine how to best represent her constituents, she commissioned a Richmond firm to conduct the poll, which she personally funded. In an effort not to influence the poll until the after the results were released, she told no one but her family. She informed those present that Dr. Smalley had asked Dr. Tuttle, an expert in the field, to review the survey to determine whether it was a "push poll". The expert found no irregularities and stated that he would conduct a poll in the same manner.

Supervisor Byrd also responded to comments regarding the funds for the Resource Officer position not being included in the School Board's FY 05 budget. Mrs. Byrd stated that funds had been included in the FY 05 budget but not specifically named. She referred to pages 38 and 44 of the school's budget document and noted that the budgeted amount had been increased by \$8K for FY 05. Mrs. Byrd commented that the Board of Supervisors cannot tell the schools how to spend allocated money but they can ask how the money is spent.

Supervisor Byrd spoke about the mediation program between the Board of Supervisors and the School Board and expressed her desire not to see it falter. Mrs. Byrd said that it was a great thing to go through and she has seen much improvement over her first few years as a Supervisor. She reminded the School Board that the Board of Supervisors has a whole county to think about and there are more people in the County than the 20% who have children in the schools.

J. Michael Hobert, Supervisor Berryville District and Board of Supervisors Vice Chair: Vice Chairman Hobert said that he and others have seen steady improvement

over the years in the relationship between the Boards. He opined that the Board of Supervisors has done a good job of funding the School Board's budget requests that took serious dollar amounts. He stated that this year was one of the best years in which he has been involved with budget discussions. He opined that sometimes you need to pat yourself on the back for a job well done. He stated that while the Board's have argued it is about process more than dollars.

Vice Chairman Hobert acknowledged the comments of Mr. Bates and Mrs. Bouffault. He expressed appreciation for the efforts of John Staelin. He commented that he thought that discussions such as the ones they had this evening show progress and demonstrate that the Boards are working on the process.

David S. Weiss, Supervisor Buckmarsh/Blue Ridge District: Supervisor Weiss stated that the Resource Officer issue was addressed six to eight weeks ago and the School Board was aware that the Board of Supervisors would only fund one position. He restated Chairman Staelin's point that all of the Supervisors had logical arguments to support their position and he was of the majority opinion that funding of the Resource Officer belongs with the Sheriff's Department. He emphasized that every locality has a Resource Officer and the position is under the Sheriff. He wished to note that he believes that the School Board has a passion for education, which he admires. He opined that the schools budget was difficult and complicated but the School Board had the luxury of focusing on only one area while the Board of Supervisors must look at the entire County.

Supervisor Weiss noted that both he and Gary Hornbaker were new to their respective Boards. He said that he believed that adults should try to get along with each other and his personal goal was to do what was right for the entire County. He stated that it was disturbing to him that cutting textbooks was the only place the School Board could find the money to cover the \$42K transferred to the Sheriff's budget. He opined that there were several places in the schools budget where money could be taken other than textbooks.

John R. Staelin, Supervisor Millwood/Pine Grove District - Board of Supervisors Chair: Chairman Staelin expressed his appreciation for the comments of the Board and the public. He stated that he believed that everyone in attendance loved Clarke County. He said that they might disagree but that is democracy. He opined that all want what is best and that this County has much of which to be proud. He stated that if your heart is in the right place you cannot go wrong.

At 8:45 pm, Chairman Staelin closed the public hearing.

Public Hearing – FY 05 Tax Rate

At 8:46 pm, Chairman Staelin opened the hearing for public comment.

Louise McKay, Millwood: addressed the Board regarding the public school system. Mrs. McKay stated that she, her parents, her children and her grandchildren had all attended Clarke County schools. She opined that the School Board is missing the point, that its about educating children, what the SAT scores are, how many students are taking IB courses, not the size of the buildings or fancy athletic fields. She asked if the schools would perform some follow up on how many of their students went on to college, how long they stayed, how many got degrees. She provided examples of student achievements on State, national and international levels that, she believes, did not get the recognition they deserve. She opined there were many good things happening but they have nothing to do with the buildings.

Mrs. McKay, identifying herself as a former educator, opined that teachers need support. She suggested that the best teachers be kept as instructors and paid more in that

capacity not moved up into the bureaucracy. She said that the Resource Officer provides discipline, which is important. She opined that teachers are not unhappy about the money but the system. She stated there were a lot of good things in the schools; but there are things that can be improved, which will not change by throwing more money at the problem.

Chris Bates, White Post: Mr. Bates stated that he objects to funding the budget on a deficit and urged the Board to reconcile the numbers. He opined that it was important remain fiscally responsible and to keep the "pay-as-you-go" approach.

There being no others present wishing to address the Board on this matter at 8:54 pm Chairman Staelin closed the public comment portion of the public hearing.

Adjournment:

There being no further business, Chairman Staelin adjourned the meeting at 8:55 pm.

Next Meeting Date:

The next Board of Supervisors meeting is set for April 19, 2004, at 5:00 pm in the Board of Supervisor's Meeting Room, Second Floor of the Circuit Courthouse, 102 N. Church Street, Berryville, Virginia.

ATTEST: April 12, 2004

John Staelin, Chairman

David L. Ash, County Administrator